

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
BUTTE DIVISION**

Scott Hunter, in his official capacity as  
Personal Representative of  
The Estate of Ralph Kip Hunter,  
Deceased,

Plaintiff,

vs.

Livingston Healthcare, a Domestic  
Non-Profit Montana Corporation,  
Defendant.

CV-24-176-BU-JTJ

**ORDER**

Plaintiff filed this action on November 12, 2024. (Doc. 1) To date, Plaintiff has failed to provide the Court with a return of service on the Defendant and the Defendant has not filed an answer. Pursuant to Fed. R. Civ. P. 4(m), which states:

If a defendant is not served within 90 days after the complaint is filed, the court — on motion or on its own after notice to the plaintiff — must dismiss the action without prejudice against that defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period. This subdivision (m) does not apply to service in a foreign country under Rule 4(f) or 4(j)(1), or to service of notice under Rule 71.1(d)(3)(A).

**IT IS HEREBY ORDERED** that on or before **March 27, 2025**, Plaintiff shall file with the Court proof of service of summons and complaint on the Defendant or show cause why this cause should not be dismissed, without prejudice.

DATED this 27<sup>th</sup> day of February 2025.



John Johnston  
United States Magistrate Judge